

**Board of Supervisors of Elections**  
**Minutes | February 26, 2021 | Virtual Meeting**

Marc Mitchell, Board President, called the meeting to order at 9: 05 a.m.

Present: Marc Mitchell, President

Josh Russin, Board Member

Shuan Butcher, Board Member

Saundra Nickols, City Attorney

Phyllis Hane, Legislative Clerk

Stuart Harvey, Frederick County Elections Director

Rachel Nessen, Assistant City Attorney

1. **Approval of Minutes:** On a motion made by Mr. Mitchell and seconded by Mr. Butcher the Board approved 3-0 the minutes of the February 12, 2021 meeting.

2. **Discussion of Proposed Revisions to City Charter and Code:**

Ms. Nessen reviewed the draft revisions to the Article V of the City Charter and Chapter 7 of the City Code concerning election procedures. Proposed revisions as presented by staff included:

- Removing references to precinct based polling places and replacing with “voting centers”
- Clarifying language regarding canvassing of votes
- Removing previous language regarding absentee voting and inserting provisions for mail-in voting, including mailing ballots to voters
- Adding provisions for provisional voting

The Board provided some suggested revisions and clarification:

- Ballots will be mailed no more than 30 days and no less than 14 days prior to the election. [7-3 (a)]
- Ballots post marked by election day may be received up to 48 hours after the closing of the polls. [7-3 (c)]
- An affidavit will not be required to obtain a replacement ballot.[7-3 (e)]
- Language regarding reasons for issuing a provisional ballot has been clarified. (7-3.2)
- Regarding notice of election, the initial notice will be published 7 days prior to the mailing of ballots and a specimen ballot will be posted on the website. (7-4)
- Judges must be 16 years old and registered voters. [7-5(b)]
- A recount may only be requested in a race in which the margin is 5% or less and may not be requested before the canvass is complete. In addition, references to precinct polling places were removed. (7-6)

On a motion made by Mr. Mitchell and seconded by Mr. Russin, the Board voted 3-0 to recommend the Board of Aldermen approve the legislation as presented, with the

revisions noted by the Board. The proposed legislation will be presented to the Mayor and Board of Aldermen at the March 17, 2021 Workshop.

**3. Discussion of locations for voting centers and drop boxes:**

The Board reviewed possible locations for voting centers and/or ballot drop boxes. Possible locations under consideration include Hillcrest Commons and Staley Park. Mr. Harvey also suggested the Board consider Harry Grove Stadium and the YMCA. There was some discussion concerning accessibility at some of these locations. Mr. Russin and Mr. Butcher will look at the Hillcrest Commons and Staley Park Sites regarding this issue and continue this discussion at the next meeting.

**4. Review and Approval of Ben MacShane's 2020 Annual Campaign Finance Report:** Mr. Butcher made a motion, seconded by Mr. Mitchell, to approve the report. The motion was approved 3-0.

**5. Next meeting date.** The next meeting was scheduled for Friday, March 19, at 9:00 a.m. following presentation of the proposed legislation at Mayor and Board of Aldermen Workshop.

**6. New Business.** Mr. Harvey shared that he had reached out to his Election Systems and Software concerning poll book and networking services for the City's election and has been informed they will not be able to provide those services. Mr. Harvey is working with representatives of the State Board of Elections and will contact other municipalities, including the Cities of Bowie and Annapolis, to try to determine a resolution to this issue.

The meeting was adjourned at 10:19 a.m.

Respectfully submitted,

Phyllis Hane  
Legislative Clerk